SOUTHERN DISTRICT OF NEW YOR	RK x
HERBERT FEINBERG,	: :
Plaintiff,	:
-against- APPLE INC.,	: Civil Action No. 15-CV-5198 (RA) : :
Defendant.	:
	X

DECLARATION OF GABRIELLE LEVIN IN SUPPORT OF DEFENDANT'S MOTION TO DISMISS THE SECOND AMENDED COMPLAINT

GABRIELLE LEVIN, pursuant to 18 U.S.C. § 1746, hereby declares:

- I am a member of the bar of this Court and a partner in the law firm of Gibson,
 Dunn & Crutcher LLP, counsel to defendant Apple Inc. in the above-captioned action. I
 respectfully submit this declaration in support of Defendant's Motion to Dismiss the Second
 Amended Complaint.
- 2. Attached hereto as **Exhibit A** is a true and accurate copy of plaintiff's Second Amended Complaint, filed on November 30, 2015. (Dkt. No. 30).
- 3. Attached hereto as **Exhibit B** is a true and accurate copy of the Affidavit of Herbert Feinberg, without exhibits, dated June 10, 2015 in the Supreme Court of the State of New York, County of New York. (Dkt. No. 1-2).

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 5th day of January, 2016.

Gabrielle Levin